

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Samuel Mark Bass
4828 Chadwick Drive
Concord, NC 28025**

**Denise Will Bass
4828 Chadwick Drive
Concord, NC 28025**

SS# xxx-xx-4606

SS# xxx-xx-1533

Debtor(s)

Case No. 15-50034

Chapter 13

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on January 15, 2015 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$2,200.00** per month for a period of **60*** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

*Successful liquidation of proposed real estate will likely reduce the necessary plan payment.

II. Administrative Costs

1. Attorney fees.

- ☐ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$_____ from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☒ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs.

The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid from liquidation of real estate

Creditor	Estimated Priority Claim
Cabarrus County Tax Collector	\$26,649.38
Credit Bureau	\$0.00
Employment Security Commission	\$0.00
Internal Revenue Service	\$20,000.00
N.C. Department of Revenue	\$0.00
City of Concord	\$17,000.00

IV. Secured Claims

1. Real Property Secured Claims

a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Uwharrie Bank Mtg *Paying secured claim in full over life of plan.	Residence at 4828 Chadwick Dr, Concord, NC Tax value \$205,760	R	N	\$1,441.61	\$10,500.00	

2. Personal Property Secured Claims

a. ☒ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 100 %.

VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. ☐ None
- b. Other classes of unsecured claims and treatment

c. Other Special Terms

Special Provisions

The Debtors own two parcels of realty, which they propose to liquidate and pay all debts in full.

a. 6104 Performance Drive, Concord, NC (the "Gallery").

Possible liens against the Gallery are

- F&M Bank
Claim filed for \$802,806.17
- N.C. Department of Revenue
Tax lien of \$65,419.28
- Cabarrus Bank & Trust
\$6,376.82
Creditor obtained a judgment against the Debtors.
- Springleaf Financial Services
\$6,376.82
Creditor obtained a judgment against the Debtors.

The Debtors propose to sell the Gallery by December 31, 2015. In order to sell the property, the Debtors must first obtain authorization from this Court. Any liens against the property, not subject to the avoiding powers of the Trustee, must be paid through the sale unless liens are transferred to proceeds or lienholders voluntarily agree to accept lesser amounts in full satisfaction of the debts owed to them. If the property is not sold by December 31, 2015, the Debtors will petition the Court to allow the hiring of a reputable auctioneer to market and auction the property. After any auction, all lienholders not paid in full therefrom will be allowed a period of six months to file deficiency claims. Any timely filed deficiency claim will be allowed as filed unless a party in interest objects.

The Debtors propose to make no payments to any of the possible lienholders listed above in anticipation that the liens will be satisfied through liquidation of the property.

If the Debtors have not sold the property by March 1, 2016, any party in interest may move to have the case converted to Chapter 7.

b. 4732 Hendrix Court, Concord, NC ("Hendrix Court")

Possible liens against Hendrix Court are

- Uwharrie Bank
Mortgage claim of \$79,044.00
- N.C. Department of Revenue
Tax lien of \$65,419.28
- Cabarrus Bank & Trust
\$6,376.82
Creditor obtained a judgment against the Debtors.
- Springleaf Financial Services
\$6,376.82
Creditor obtained a judgment against the Debtors.

The Debtors propose to sell Hendrix Court by December 31, 2015. In order to sell the property, the Debtors must first obtain authorization from this Court. Any liens against the property, not subject to the avoiding powers of the Trustee, must be paid through the sale unless liens are transferred to proceeds or lienholders voluntarily agree to accept lesser amounts in full satisfaction of the debts owed to them. If the property is not sold by December 31, 2015 the Debtors will petition the Court to allow the hiring of a reputable auctioneer to market and auction the property. After any auction, all lienholders not paid in full therefrom will be allowed a

period of six months to file deficiency claims. Any timely filed deficiency claim will be allowed as filed unless a party in interest objects.

The Debtors propose to make no payments to any of the possible lienholders listed above in anticipation that the liens will be satisfied through liquidation of this property and/or the Gallery property.

If the Debtors have not sold the property by March 1, 2016, any party in interest may move to have the case converted to Chapter 7.

Upon the sale of the Gallery, the Debtors propose to pay all allowed claims filed by the following creditors in the exact amounts listed below

- Cabarrus County Tax Collector
Claim filed for \$26,649.38
- City of Concord
\$17,000.00
- Internal Revenue Service
\$20,000
- All allowed claims of general unsecured creditors.

Date: 2/12/15

/s/ Kristen S. Nardone

Kristen Nardone 28063

Attorney for the Debtor

Address: **PO Box 1394
Concord, NC 28026-1394**

Telephone: **704-784-9440**

State Bar No. **28063**

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Denise Will Bass**

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**NOTICE TO CREDITORS
AND
PROPOSED PLAN**

Case No. 15-50034

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402**

**Kathryn L. Bringle
Chapter 13 Trustee
Winston-Salem Division
Post Office Box 2115
Winston-Salem, NC 27102-2115**

**Cabarrus Bank & Trust
PO Box 1970
Concord, NC 28026**

**Cabarrus County Tax Collector
Box 707
Concord, NC 28026**

**Capital One, N.a.
Capital One Bank (USA) N.A.
Po Box 30285
Salt Lake City, UT 84130**

**Capital One, N.a.
Po Box 85520
Richmond, VA 23285**

**Charlotte Radiology
PO Box 30488
Charlotte, NC 28203**

**Chase- Bp
P.o. Box 15298
Wilmington, DE 19850**

**City of Concord Tax Collector
PO Box 580473
Charlotte, NC 28258-0473**

**Cpu/cbna
Po Box 6497
Sioux Falls, SD 57117**

**Credit Bureau
ATTN: Officer or Managing Agent
PO Box 26140
Greensboro, NC 27402-6140**

Credit Coll USA
Ccusa/Attn:Bankruptcy
16 Distributor Dr Ste 1
Morgantown, WV 26501

Credit Coll USA
16 Distributor Dri
Morgantown, WV 26501

Dba Paragon Revenue Gr
P O Box 127
Concord, NC 28026

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Concord, NC 28026

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P O Box 127
Concord, NC 28026

De Lage Landen
PO Box 41602
Philadelphia, PA 19101

Donald Sayers
PO Box 829
Salisbury, NC 28145-0829

Employment Security Commission
PO Box 26504
Raleigh, NC 27611-6504

Escallate Llc
5200 Stoneham Rd
North Canton, OH 44720

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5200 Stoneham Rd
North Canton, OH 44720

Escallate Llc
5200 Stoneham Rd
North Canton, OH 44720

F & M Bank
221 N Main St
Salisbury, NC 28144

F&M Bank
221 N. Main Street
Salisbury, NC 28144

GE Money Bank
PO Box 981127
El Paso, TX 79998-1127

GECRB/JC Penny
Attention: Bankruptcy
Po Box 103104
Roswell, GA 30076

GECRB/JC Penny
Po Box 965007
Orlando, FL 32896

Healthy @ Home
PO Box 602299
Charlotte, NC 28260

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Med Data Sys
2001 19th Ave Suite 312
Vero Beach, FL 32960

Med Data Sys
1374 S Babcock St
Melbourne, FL 32901

Medical Data Systems I
645 Walnut St Ste 5
Gadsden, AL 35901

Medical Data Systems I
645 Walnut St Ste 5
Gadsden, AL 35901

Medical Data Systems I
645 Walnut St Ste 5
Gadsden, AL 35901

N.C. Department of Revenue
Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602

N.C. Department of Revenue
Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602

Novant
PO Box 11549
Winston Salem, NC 27116

Optimum Outcomes Inc
2651 Warrenville R
Downers Grove, IL 60515

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2651 Warrenville R
Downers Grove, IL 60515

Optimum Outcomes Inc
2651 Warrenville R
Downers Grove, IL 60515

Pmab Srv
4135 S Stream Blvd Ste 4
Charlotte, NC 28217

Pmab Srv
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Charlotte, NC 28217

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Pmab Srvc
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Sca Collections Inc
Po Box 876
Greenville, NC 27835

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Greenville, NC 27835

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Po Box 876
Greenville, NC 27835

Southeast Anesthesiology
1000 Blythe Blvd
Charlotte, NC 28203

Spartan Financial Svc
P.o. Box 1629
Maryland Heigh, MO 63043

Spartan Financial Svc
P.o. Box 1629
Maryland Heigh, MO 63043

Spartan Financial Svc
P.o. Box 1629
Maryland Heigh, MO 63043

Spartan Financial Svc
P.o. Box 1629
Maryland Heigh, MO 63043

Springleaf Financial S
845 Church St N Ste 103
Concord, NC 28025

Stern & Associates
415 N Edgeworth St Ste 2
Greensboro, NC 27401

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415 N Edgeworth St Ste 2
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Greensboro, NC 27401

Stjohncinc
209 Delburg Street
Davidson, NC 28036

Transworld Sys Inc/99
507 Prudential Rd
Horsham, PA 19044

Transworld Sys Inc/99
507 Prudential Rd
Horsham, PA 19044

US Bank Equipment Finance
1310 Madrid St
Marshall, MN 56258

US Bank Equipment Finance
PO Box 790448
Saint Louis, MO 63179

Uwharrie Bank Mtg
Po Box 338
Albemarle, NC 28002

Uwharrie Bank Mtg
Po Box 338
Albemarle, NC 28002

Date: February 12, 2015

/s/ Kristen S. Nardone
Kristen Nardone 28063